

Remarks

Applicant has amended the paragraph at page 1, lines 9-11 of the specification of the present patent application to comply with Section 201.11 of the Manual of Patent Examining Procedure.

Reclamations

The May 19, 2005, Reply

In the Amendment and Reply Under 37 C.F.R. § 1.111 filed May 19, 2005, Applicant amended each of claims 1, 5, and 8 to delete the feature of receiving a request from a network appliance via the network connection that includes information identifying an account to be used because, in addition to this distinction, U.S. Patent No. 6,370,141 to Giordano, III *et al.* (hereinafter "Giordano") does not disclose, teach, or suggest configuring a packet switched network appliance to have access to a packet switched network at an access point, wherein a determination of the access point includes a consideration of a distance between the packet switched network appliance and the access point.

Applicant affirmatively rescinds the distinction from the teachings of Giordano based upon the feature of receiving a request from a network appliance via the network connection that includes information identifying an account to be used.

The September 29, 2006, and the April 23, 2007, Replies

In the Amendment and Reply Under 37 C.F.R. § 1.111 filed September 29, 2006, Applicant amended each of claims 1, 5, 8, and 11-13 to add the feature of distinguishing a first packet switched network appliance from a second packet switched network appliance to distinguish these claims from the teachings of Giordano.

However, in addition to this distinction, Giordano does not disclose, teach, or suggest configuring a packet switched network appliance to have access to a packet switched network at an access point, wherein a determination of the access point includes a consideration of a distance between the packet switched network appliance and the access point.

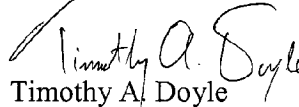
Because the feature of configuring a packet switched network appliance to have access to a packet switched network at an access point, wherein a determination of the access point includes a consideration of a distance between the packet switched network appliance and the access point is sufficient to render each of claims 1, 5, 8, and 11-13 patentable over Giordano, Applicant, in the Amendment and Reply Under 37 C.F.R. § 1.111 filed April 23, 2007, amended each of claims 1, 5, 8, and 11-13 to delete the feature of distinguishing a first packet switched network appliance from a second packet switched network appliance.

Applicant affirmatively rescinds the distinction from the teachings of Giordano based upon the feature of distinguishing a first packet switched network appliance from a second packet switched network appliance.

The Examiner is invited to contact the undersigned should there be any questions.

Respectfully submitted,

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